

made with respect to that disease under paragraph (1).

(d) RECOMMENDATIONS FOR ADDITIONAL SCIENTIFIC STUDIES.—

(1) **IN GENERAL.**—Under an agreement between the Secretary and the National Academies under this section, the National Academies shall make any recommendations it has for additional scientific studies to resolve areas of continuing scientific uncertainty relating to the exposure of humans to covered toxins.

(2) **CONSIDERATIONS.**—In making recommendations for additional scientific studies, the National Academies shall consider—

(A) the scientific information that is available at the time of the recommendation;

(B) the value and relevance of the information that could result from additional studies; and

(C) the feasibility of carrying out such additional studies.

(e) **SUBSEQUENT REVIEWS.**—Under an agreement between the Secretary and the National Academies under this section, the National Academies shall—

(1) conduct as comprehensive a review as is practicable of the evidence referred to in subsection (b)(1) that became available since the last review of such evidence under this section; and

(2) make determinations and estimates on the basis of the results of such review and all other reviews conducted for the purposes of this section.

(f) REPORTS.—

(1) INITIAL REPORT.—

(A) **IN GENERAL.**—Under an agreement between the Secretary and the National Academies under this section, not later than 540 days after the date of the enactment of this Act, the National Academies shall submit to the Secretary and the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the activities of the National Academies under the agreement.

(B) **ELEMENTS.**—The report submitted under subparagraph (A) shall include the following:

(i) The determinations described in subsection (c)(1).

(ii) An explanation of the scientific evidence and reasoning that led to such determinations.

(iii) Any recommendations of the National Academies under subsection (d).

(2) **PERIODIC UPDATES.**—Under an agreement between the Secretary and the National Academies under this section, not less frequently than once every two years, the National Academies shall submit to the Secretary and the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives an updated report on the activities of the National Academies under the agreement.

(g) **LIMITATION ON AUTHORITY.**—The authority to enter into agreements under this section shall be effective for a fiscal year to the extent that appropriations are available.

(h) ALTERNATIVE CONTRACT SCIENTIFIC ORGANIZATION.—

(1) **IN GENERAL.**—If the Secretary is unable within the period prescribed in subsection (a)(2) to enter into an agreement with the National Academies on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate scientific organization that—

(A) is not part of the Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the National Academies.

(2) **TREATMENT.**—If the Secretary enters into an agreement with another organization

as described in paragraph (1), any reference in this section, section 4, and section 1119 of title 38, United States Code, as added by section 2(a), to the National Academies shall be treated as a reference to the other organization.

(i) **COVERED TOXIN DEFINED.**—In this section, the term “covered toxin” has the meaning given that term in section 1119(e) of title 38, United States Code, as added by section 2(a).

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Department of Veterans Affairs such sums as may be necessary to carry out this section.

SEC. 4. ACCESS OF THE NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE TO INFORMATION FROM FEDERAL AGENCIES.

(a) **IN GENERAL.**—Upon request by the National Academies of Sciences, Engineering, and Medicine (referred to in this section as the “National Academies”), the head of any Federal agency with relevant information shall provide to the National Academies information in the possession of the agency that the National Academies determines useful in conducting a review under section 3(b).

(b) **FEDERAL AGENCY DEFINED.**—In this section, the term “Federal agency” means any agency as that term is defined in section 551 of title 5, United States Code.

SEC. 5. PRESUMPTION RELATING TO PERSONAL INJURY OF CERTAIN FEDERAL EMPLOYEES.

(a) **IN GENERAL.**—Section 8102 of title 5, United States Code, is amended by adding at the end the following:

“(c)(1) In this subsection, the term ‘covered employee’ means an employee of the Department of State, the Department of Defense, or an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) who, on or after August 2, 1990, carried out the job responsibilities of the employee for not fewer than 30 total days in a country or territory while the United States was conducting a contingency operation (as defined in section 101 of title 10) in that country or territory.

“(2) Disability or death from a disease described in paragraph (2) of such section suffered by a covered employee is deemed to have resulted from personal injury sustained while in the performance of the duty of the covered employee, whether or not the covered employee was engaged in the course of employment when the disability or disability resulting in death occurred.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is 180 days after the date of enactment of this Act.

(c) **RULE OF CONSTRUCTION.**—Subsection (c) of section 8102 of such title, as added by subsection (a), shall not be construed to apply to a contractor of a Federal department or agency.

SA 3835. Mr. SCHUMER proposed an amendment to the bill S. 1301, to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; as follows:

At the end add the following:

SEC. . EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 3836. Mr. SCHUMER proposed an amendment to amendment SA 3835 proposed by Mr. SCHUMER to the bill S.

1301, to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; as follows:

On page 1, line 3, strike “1 day” and insert “2 days”.

SA 3837. Mr. SCHUMER proposed an amendment to the bill S. 1301, to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; as follows:

At the end add the following:

SEC. . EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

SA 3838. Mr. SCHUMER proposed an amendment to amendment SA 3837 proposed by Mr. SCHUMER to the bill S. 1301, to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; as follows:

On page 1, line 3, strike “4” and insert “5”.

SA 3839. Mr. SCHUMER proposed an amendment to amendment SA 3838 proposed by Mr. SCHUMER to the amendment SA 3837 proposed by Mr. SCHUMER to the bill S. 1301, to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; as follows:

On page 1, line 1, strike “5” and insert “6”.

SA 3840. Mr. SCHUMER (for Mr. WICKER) proposed an amendment to the bill S. 558, to establish a national integrated flood information system within the National Oceanic and Atmospheric Administration, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Flood Level Observation, Operations, and Decision Support Act” or the “FLOODS Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. National Integrated Flood Information System.
- Sec. 4. Observations and modeling for total water prediction.
- Sec. 5. Service coordination hydrologists at River Forecast Centers of the National Weather Service.
- Sec. 6. Improving National Oceanic and Atmospheric Administration communication of future flood risks and hazardous flash flood events.
- Sec. 7. Freshwater monitoring along the coast.
- Sec. 8. Tornado warning improvement.
- Sec. 9. Hurricane forecast improvement program.
- Sec. 10. Weather and water research and development planning.
- Sec. 11. Forecast communication coordinators.
- Sec. 12. Estimates of precipitation frequency in the United States.